



1625
#

RECEIVED
JAN 21 2004
TECH CENTER 1600/2900

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q62550

Takuya SEKO, et al.

Appln. No.: 09/743,393

Group Art Unit: 1625

Confirmation No.: 2333

Examiner: Evelyn M. HUANG

Filed: January 10, 2001

For: AMINO ACID DERIVATIVES AND PHARMACEUTICAL COMPOSITION
COMPRISING, AS ACTIVE INGREDIENTS, THEM

SUBMISSION OF TERMINAL DISCLAIMER

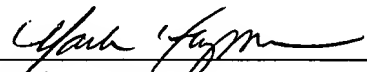
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Submitted herewith is a Terminal Disclaimer in the above-identified application. A check in the amount of \$110.00 is attached. The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account. A duplicate copy of this Submission is attached.

Respectfully submitted,

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860


Mark L. Hayman
Registration No. 51,793

WASHINGTON OFFICE

23373

CUSTOMER NUMBER

Date: January 15, 2004



PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q62550

Takuya SEKO, et al.

Appln. No.: 09/743,393

Group Art Unit: 1625

Confirmation No.: 2333

Examiner: Evelyn M. HUANG

Filed: January 10, 2001

For: AMINO ACID DERIVATIVES AND PHARMACEUTICAL COMPOSITION
COMPRISING, AS ACTIVE INGREDIENTS, THEM

TERMINAL DISCLAIMER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The undersigned, on behalf of the petitioner, ONO PHARMACEUTICAL CO., LTD., represents that the petitioner, ONO PHARMACEUTICAL CO., LTD. is the owner of the entire right, title and interest of U.S. Application No. 09/720,433, filed on December 22, 2000 for Amino Acid Derivatives and Drugs Containing the Same as the Active Ingredient by virtue of an Assignment from all of the inventors thereof executed on November 29, 2000, recorded on December 22, 2000 at Reel 011606, Frame 0701, now issued as U.S. Patent 6,605,608 as well as the entire right, title and interest in the above-captioned U.S. Application No. 09/743,393 by virtue of an Assignment from all of the inventors thereof executed on December 26, 2000, recorded on January 1, 2001, at Reel 011507, Frame 0428.

The undersigned hereby certifies that the above-mentioned Assignments have been reviewed and to the best of the undersigned's knowledge and belief, title is in petitioner who is seeking to take this action.

Petitioner hereby disclaims the terminal part of any patent granted on the above-captioned U.S. Application No. 09/743,393 which would extend beyond the expiration of the full statutory term as presently shortened by any terminal disclaimer of U.S. Patent 6,605,608, and hereby agrees that any patent so granted on the above-captioned U.S. Application No. 09/743,393 shall be enforceable only for and during such period that the legal title to U.S. Patent 6,605,608 shall be the same as the legal title to said patent issuing from the above-captioned U.S. Application No. 09/743,393, this agreement to run with any patent granted on the above-captioned U.S. Application No. 09/743,393 and to be binding upon the grantee, its successors or assigns.

Petitioner does not disclaim any terminal part of any patent granted on the above-captioned U.S. Application No. 09/743,393 prior to the expiration date of the full statutory term as presently shortened by any terminal disclaimer of U.S. Patent 6,605,608 in the event that U.S. Patent 6,605,608 later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321(a), has all claims cancelled by a Reexamination Certificate, or is otherwise terminated prior to the expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

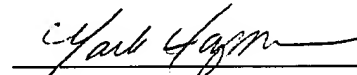
Terminal Disclaimer
U.S. Appln. No.: 09/743,393

Attorney Docket No.: Q62550

The undersigned whose signature and title appear below is empowered to act on behalf of petitioner.

I declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001, Title 18, of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Respectfully submitted,


Mark L. Hayman (agent of record)
Registration No. 51,793

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE

23373

CUSTOMER NUMBER

Date: January 15, 2004